

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,) CASE NO.
)
Plaintiff,) JUDGE
)
v.)
)
\$215,477.00 U.S. CURRENCY SEIZED)
ON JUNE 27, 2019, BY THE DRUG)
ENFORCEMENT ADMINISTRATION,)
PURSUANT TO A FEDERAL SEARCH)
WARRANT,)
)
\$15,465.00 U.S. CURRENCY SEIZED ON)
JUNE 27, 2019, BY THE DRUG)
ENFORCEMENT ADMINISTRATION,)
PURSUANT TO A FEDERAL SEARCH)
WARRANT,)
)
ASSORTED JEWELRY WITH AN)
APPROXIMATE VALUE OF \$297,750.00,)
SEIZED ON JUNE 27, 2019, BY THE DRUG)
ENFORCEMENT ADMINISTRATION,)
PURSUANT TO A FEDERAL SEARCH)
WARRANT,)
)
Defendants.) COMPLAINT IN FORFEITURE

NOW COMES plaintiff, the United States of America, by Justin E. Herdman, United States Attorney for the Northern District of Ohio, and Henry F. DeBaggis, Assistant U.S. Attorney, and files this Complaint in Forfeiture, respectfully alleging in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure, as follows:

JURISDICTION AND INTRODUCTION

1. This Court has subject matter jurisdiction over an action commenced by the United States under 28 U.S.C. Section 1345, and over an action for forfeiture under 28 U.S.C. Section 1335(a). This Court also has jurisdiction over this particular action under 21 U.S.C. Section 881(a)(6).

2. This Court has *in rem* jurisdiction over the defendants currency and jewelry: (i) pursuant to 28 U.S.C. Section 1335(b)(1)(A) because acts giving rise to the forfeiture occurred in this district; and, (ii) pursuant to 28 U.S.C. Section 1335(b)(1)(B), incorporating 28 U.S.C. Section 1395, because the action accrued in this district. This Court will have control over the defendants currency and jewelry through service of arrest warrants *in rem*, which the U.S. Marshals Service will execute upon the defendants currency and jewelry. *See*, Supplemental Rules G(3)(b) and G(3)(c).

3. Venue is proper in this district: (i) pursuant to 28 U.S.C. Section 1335(b)(1)(A) because acts giving rise to the forfeiture occurred in this district; and, (ii) pursuant to 28 U.S.C. Section 1395 because the action accrued in this district.

4. On June 27, 2019, the defendants \$215,477.00 and \$15,465.00 in U.S. Currency and assorted jewelry with an approximate value of \$297,750.00 were seized during the execution of a federal search warrant by agents and officers with the Drug Enforcement Administration at a residence located at XXXX Sugar Creek Drive, Youngstown, Ohio 44512.

5. Subsequent to the seizure, the U.S. Drug Enforcement Administration (“DEA”) commenced an administrative forfeiture proceeding against the defendants currency and jewelry. Claims to the defendants currency and jewelry were submitted by Rahsie Lamar Garner, aka

Rashie Garner (“Garner”), in the administrative forfeiture proceeding, thereby requiring the filing of this judicial forfeiture action.

6. The defendants \$215,477.00.00 and \$15,465.00 in U.S. Currency and the assorted jewelry with an approximate value of \$297,750.00 are subject to forfeiture to the United States under 21 U.S.C. Section 881(a)(6) in that they constitute proceeds from illegal drug trafficking activities, and/or were used - or were intended to be used - in exchange for illegal controlled substances, and/or were used - or were intended to be used - to facilitate illegal drug trafficking activities.

FORFEITURE

7. In April 2018, a Drug Enforcement Administration (“DEA”) investigation determined that Garner was involved in the distribution of multiple pound quantities of marijuana in the Youngstown, Ohio area and that he was laundering the drug proceeds from the marijuana sales through shell businesses identified as CQRS Quality Cars and Reliable Housing, LTD.

8. In May 2018, DEA agents and officers conducting surveillance at XXXX Everett Avenue, Youngstown, Ohio, observed Garner at the residence on multiple occasions. The Everett Avenue residence was owned by Reliable Housing, LTD, a company operated by Garner.

9. Since July 26, 2018, DEA agents and officers routinely witnessed a pattern of activity associated with narcotics trafficking at the residence at XXXX Everett Avenue, Youngstown, Ohio.

10. In August 2018, DEA agents and officers identified another residence associated with Garner at XXXX Sugar Creek Drive, Youngstown, Ohio and observed Garner traveling

from this residence to the residence at XXXX Everett Avenue, Youngstown, Ohio on multiple occasions. The Sugar Creek residence was owned by Garner's uncle, W.M.

11. Between August 2018 and June 2019, a gray 2009 Honda Odyssey Minivan, registered to CQRS Quality Cars, was observed parked in the garage at XXXX Sugar Creek Drive, Youngstown, Ohio and Garner was observed during DEA surveillance making multiple trips between the Everett Avenue and the Sugar Creek residences.

12. On April 29, 2019, a zoning inspector with the Boardman Township Zoning Department conducted a zoning investigation at the Sugar Creek residence relative to ongoing construction at the residence and met with a male who identified himself as "Shawn McDowell."

13. While inspecting the residence, the zoning inspector smelled a strong odor of marijuana coming from the Sugar Creek residence.

14. The zoning inspector later identified a photograph of Rashie Garner as the male who identified himself as "Shawn McDowell" to the zoning inspector at the Sugar Creek residence.

15. As a result of evidence developed in the DEA investigation, it is believed that Garner traveled from the Northern District of Ohio to Northern California between May 23, 2019, and May 28, 2019.

16. On June 27, 2019, DEA agents and officers executed federal search warrants at XXXX Sugar Creek Drive, Youngstown, Ohio and at XXXX Everett Avenue, Youngstown, Ohio relative to marijuana trafficking activity associated with Garner.

17. Garner was present during the search at XXXX Sugar Creek Drive, Youngstown, Ohio, where agents and officers seized large sums of U.S. Currency, high-end jewelry, marijuana processing equipment and narcotics related items, specifically:

- a. \$215,477.00 in U.S. Currency, bundled and wrapped with rubber bands, located inside a camouflage bag in the trunk of a gray 2009 Honda Odyssey minivan, registered to CQRS Quality Cars, which was parked inside the garage;
- b. \$15,465.00 in U.S. Currency located in a blue True Religion backpack in a storage area under the basement steps;
- c. \$51,111.00 in U.S. Currency located in plastic shopping bags in a storage area under the basement steps;
- d. \$41,945.00 in U.S. Currency located in a black backpack in a storage area under the basement steps;
- e. \$990.00 in U.S. Currency located in a blue plastic shopping bag in a storage area under the basement steps;
- f. \$13,600.00 in U.S. Currency located in a black Easton backpack in a storage area under the basement steps;
- g. \$452.00 in U.S. Currency located in the pants' pocket of pants worn by Rashie Garner at the time the search warrant was executed;
- h. A Royal Sovereign money counter;
- i. A Foodsaver bag heat sealer located in a storage area under the basement steps;
- j. A plastic bag containing rubber bands located in the second floor laundry room;
- k. A black suitcase containing marijuana packaging and processing equipment located in a storage area under the basement steps; and

1. A gold and diamond Rolex watch, a large gold and diamond roped chain and miscellaneous gold and diamond jewelry located on top of a master bedroom nightstand.

18. During the search at XXXX Sugar Creek Drive, Youngstown, Ohio, Rashie Garner told law enforcement agents that he was not the resident of the Sugar Creek residence, that none of the seized property belonged to him and that the seized property belonged to his uncle, W.M.

19. On June 27, 2019, while the search was concluding at XXXX Sugar Creek Drive, Youngstown, Ohio, law enforcement agents made contact with Garner's uncle, W.M. at his residence in the Columbus, Ohio area and advised him of the seizures at the Sugar Creek residence.

20. W.M. told agents that his nephew lived at the Sugar Creek residence and that the only property that belonged to W.M. was some furniture.

21. During the search at XXXX Everett Avenue, Youngstown, Ohio, DEA agents and officers seized large sums of U.S. Currency, bags of marijuana, a firearm and narcotics related items, more specifically:

- a. \$2,417.00 in U.S. Currency located in the pocket of a hooded sweatshirt in the closet in the master bedroom;
- b. \$14,071.00 in U.S. Currency located in the upstairs hallway closet;
- c. \$610.00 in U.S. Currency located in the pocket of a blue jacket in the closet of a spare bedroom;
- d. \$3,560.00 in U.S. Currency located inside a boot in the basement;
- e. A fully loaded Bushmaster .223 firearm, serial number D12981, located in a red gym bag in the garage;

- f. A magazine loaded with twenty-seven (27) .223 rounds, located in a red gym bag in the garage;
- g. A black duffle bag containing three (3) additional black duffle bags, a roll of plastic wrap and packaging material located in a hidden compartment under the stairs in the basement;
- h. Heat seal bags, foil wraps and (1) small padlock located in a secondary bedroom closet;
- i. An electronic scale and (2) boxes of oven bags located on a table in the basement;
- j. Plastic bags which each contained marijuana in the following approximate amounts:
 - i. 3.08 gross kilograms;
 - ii. 52.7 gross grams;
 - iii. 69.2 gross grams;
 - iv. 8.71 gross kilograms; and
 - v. 4.9 gross kilograms.

Total: 16,811.9 grams of marijuana.

CONCLUSION

22. By reason of the foregoing, the defendants \$215,477.00 and \$15,465.00 in U.S. currency and assorted jewelry with an approximate value of \$297,750.00 are subject to forfeiture to the United States under 21 U.S.C. § 881(a)(6) in that they constitute proceeds from illegal drug trafficking activities, and/or were used - or were intended to be used - in exchange for illegal controlled substances, and/or were used - or were intended to be used - to facilitate illegal drug trafficking activities.

WHEREFORE, plaintiff, the United States of America, requests that this Court enter judgment condemning the defendants \$215,477.00 and \$15,465.00 in U.S. Currency and assorted jewelry with an approximate value of \$297,750.00 and forfeiting them to the United States, and providing that the defendants currency and jewelry be delivered into the custody of the United States for disposition according to law, and for such other relief deemed proper.

Respectfully submitted,

JUSTIN E. HERDMAN
United States Attorney

By:


Henry F. DeBaggis (OH: 0007561)
Assistant United States Attorney
Carl B. Stokes U.S. Court House
801 West Superior Avenue, Suite 400
Cleveland, Ohio 44113
216.622.3749
Fax: 216.522.7499
Henry.DeBaggis@usdoj.gov

VERIFICATION

STATE OF OHIO)
)
) SS.
COUNTY OF CUYAHOGA)

I, Henry F. DeBaggis, under penalty of perjury, depose and say that I am an Assistant United States Attorney for the Northern District of Ohio, and the attorney for the plaintiff in the within entitled action. The foregoing Complaint in Forfeiture is based upon information officially provided to me and, to my knowledge and belief, is true and correct.

Henry F. DeBaggis

Henry F. DeBaggis (OH: 0007561)
Assistant United States Attorney

Sworn to and subscribed in my presence this 18 day of October, 2019.



DIANE SCHNEIDER
NOTARY PUBLIC
STATE OF OHIO
COMM. EXPIRES
3-9-2022
RECORDED IN
CUYAHOGA COUNTY

Diane Schneider
Notary Public

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS

\$215,477.00 in U.S. Currency, \$15,465.00 in U.S. Currency, and Assorted Jewelry valued at approximately \$297,750.00.

County of Residence of First Listed Defendant Mahoning, Ohio
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Henry F. DeBoggis, Assistant U.S. Attorney
801 West Superior Avenue, Suite 400, Cleveland, OH 44113
(216) 622-3749

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

<input checked="" type="checkbox"/> 1 U.S. Government Plaintiff	<input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF	PTF	DEF	
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	<input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	PROPERTY RIGHTS	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	LABOR	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 390 Other Personal Injury	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 395 Property Damage Product Liability	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice		<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<input type="checkbox"/> 196 Franchise			<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	Habeas Corpus:	<input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee		<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence	FEDERAL TAX SUITS	<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 899 Administrative Procedure
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	Act/Review or Appeal of Agency Decision
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	Other:		<input type="checkbox"/> 950 Constitutionality of State Statutes
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 540 Mandamus & Other		
		<input type="checkbox"/> 550 Civil Rights		
		<input type="checkbox"/> 555 Prison Condition		
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		

V. ORIGIN (Place an "X" in One Box Only)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from Another District (specify)	<input type="checkbox"/> 6 Multidistrict Litigation
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Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

VI. CAUSE OF ACTION

Brief description of cause:
Civil Forfeiture Action pursuant to 21 U.S.C. Section 881

VII. REQUESTED IN COMPLAINT:

 CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No

VIII. RELATED CASE(S)

IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

10/18/2019

SIGNATURE OF ATTORNEY OF RECORD

1/18/2019

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

I.

Civil Categories: (Please check one category only).

1. General Civil
2. Administrative Review/Social Security
3. Habeas Corpus Death Penalty

*If under Title 28, §2255, name the SENTENCING JUDGE: _____

CASE NUMBER: _____

II.

RELATED OR REFILED CASES. See LR 3.1 which provides in pertinent part: "If an action is filed or removed to this Court and assigned to a District Judge after which it is discontinued, dismissed or remanded to a State court, and subsequently refiled, it shall be assigned to the same Judge who received the initial case assignment without regard for the place of holding court in which the case was refiled. Counsel or a party without counsel shall be responsible for bringing such cases to the attention of the Court by responding to the questions included on the Civil Cover Sheet."

This action is RELATED to another PENDING civil case. This action is REFILED pursuant to **LR 3.1**.

If applicable, please indicate on page 1 in section VIII, the name of the Judge and case number.

III.

In accordance with Local Civil Rule 3.8, actions involving counties in the Eastern Division shall be filed at any of the divisional offices therein. Actions involving counties in the Western Division shall be filed at the Toledo office. For the purpose of determining the proper division, and for statistical reasons, the following information is requested.

ANSWER ONE PARAGRAPH ONLY. ANSWER PARAGRAPHS 1 THRU 3 IN ORDER. UPON FINDING WHICH PARAGRAPH APPLIES TO YOUR CASE, ANSWER IT AND STOP.

(1) **Resident defendant.** If the defendant resides in a county within this district, please set forth the name of such county

COUNTY: Mahoning

Corporation For the purpose of answering the above, a corporation is deemed to be a resident of that county in which it has its principal place of business in that district.

(2) **Non-Resident defendant.** If no defendant is a resident of a county in this district, please set forth the county wherein the cause of action arose or the event complained of occurred.

COUNTY:

(3) **Other Cases.** If no defendant is a resident of this district, or if the defendant is a corporation not having a principle place of business within the district, and the cause of action arose or the event complained of occurred outside this district, please set forth the county of the plaintiff's residence.

COUNTY:

IV.

The Counties in the Northern District of Ohio are divided into divisions as shown below. After the county is determined in Section III, please check the appropriate division.

EASTERN DIVISION

<input type="checkbox"/>	AKRON	(Counties: Carroll, Holmes, Portage, Stark, Summit, Tuscarawas and Wayne)
<input type="checkbox"/>	CLEVELAND	(Counties: Ashland, Ashtabula, Crawford, Cuyahoga, Geauga, Lake, Lorain, Medina and Richland)
<input checked="" type="checkbox"/>	YOUNGSTOWN	(Counties: Columbiana, Mahoning and Trumbull)

WESTERN DIVISION

<input type="checkbox"/>	TOLEDO	(Counties: Allen, Auglaize, Defiance, Erie, Fulton, Hancock, Hardin, Henry, Huron, Lucas, Marion, Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca, Van Wert, Williams, Wood and Wyandot)
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,) CIVIL ACTION NO.
)
Plaintiff,) JUDGE
)
v.)
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)
\$215,477.00 U.S. CURRENCY SEIZED)
ON JUNE 27, 2019, BY THE DRUG)
ENFORCEMENT ADMINISTRATION,)
PURSUANT TO A FEDERAL SEARCH)
WARRANT, et al.,)
)
Defendants.) PRAECIPE

Please issue Warrants of Arrest in Rem on Defendants \$215,477.00 and \$15,465.00 in U.S. Currency, and on Assorted Jewelry with an approximate value of \$297,750.00 to the United States Marshals Service on behalf of the United States Attorney's Office.

Respectfully submitted,

Justin E. Herdman
United States Attorney

By:


Henry F. DeBaggis (OH: 0007561)
Assistant United States Attorney
801 West Superior Avenue
Suite 400
Cleveland, OH 44113-1852
Tel. (216) 622-3749
Fax. (216) 522-7499
Henry.DeBaggis@usdoj.gov

United States District Court

NORTHERN DISTRICT OF OHIO

WARRANT OF ARREST *IN REM*

TO: THE U.S. MARSHALS SERVICE, DRUG ENFORCEMENT ADMINISTRATION, AND/OR ANY OTHER DULY AUTHORIZED LAW ENFORCEMENT OFFICER:

WHEREAS, on 10/18/2019 a Complaint in Forfeiture was filed in this Court by Justin E. Herdman, United States Attorney for this District, on behalf of the United States, against:

\$215,477.00 U.S. Currency (CATS ID# 19-DEA-653541)
\$15,465.00 U.S. Currency (CATS ID# 19-DEA-653553), and
Assorted Jewelry with an approximate value of \$297,750.00 (CATS ID# 19-DEA-653548).

and WHEREAS, the defendant properties are currently in the possession, custody or control of the United States; and,

WHEREAS, Rule G(3)(b)(i) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions directs the Clerk of the Court to issue a warrant of arrest *in rem* for the arrest of the defendant properties; and,

WHEREAS, Rule G(3)(c) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions provides that the warrant of arrest *in rem* must be delivered to a person or organization authorized to execute it;

YOU ARE COMMANDED to arrest the defendant properties by serving a copy of this warrant on the custodian in whose possession, custody or control the properties are presently found, and to use whatever means may be appropriate to protect and maintain it in your custody until further order of this Court.

YOU ARE FURTHER COMMANDED to file the same in this Court with your return thereon.

WITNESS THE HONORABLE		UNITED STATES DISTRICT JUDGE AT
DATE	CLERK (BY) DEPUTY CLERK	
Returnable <u>-60-</u> days after issue.		

USMS

DISTRICT	DATE RECEIVED	DATE EXECUTED
PRINTED NAME	SIGNATURE	

U.S. Department of Justice

PROCESS RECEIPT AND RETURN

PLAINTIFF United States of America	COURT CASE NUMBER
DEFENDANT \$215,477.00 in U.S. Currency, and \$15,465.00 in U.S. Currency	TYPE OF PROCESS Warrant of Arrest in Rem
SERVE AT { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN \$215,477.00 in U.S. Currency, and \$15,465.00 in U.S. Currency ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)	

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	Number of process to be served with this Form	1
<div style="border: 1px solid black; padding: 5px; min-height: 100px; vertical-align: top;"> Henry F. DeBaggis, Assistant United States Attorney Office of the United States Attorney 801 W. Superior Avenue, Suite 400 United States Courthouse Cleveland, Ohio 44113 </div>	Number of parties to be served in this case	2
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (*Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service*):

Fold

Fold

\$215,477.00 in U.S. Currency (19-DEA-653541), and \$15,465.00 in U.S. Currency (19-DEA-653553)

Signature of Attorney other Originator requesting service on behalf of:	<input checked="" type="checkbox"/> PLAINTIFF	TELEPHONE NUMBER	DATE
	<input type="checkbox"/> DEFENDANT	216-622-3749	10/18/19

SPACE BELOW FOR USE BY PROCESSING OFFICIAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated.	Total Process _____ No. _____	District of Origin _____ No. _____	District to Serve _____ No. _____	Signature of Authorized Agent or Other Agency Personnel	Date
--	-------------------------------------	--	---	---	------

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the individual, company, corporation, etc. shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode	
Address (complete only different than shown above)	Date	Time <input type="checkbox"/> am <input type="checkbox"/> pm
	Signature	

Service Fee	Total Mileage Charges including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed (Amount of Refund*)
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REMARKS:

U.S. Department of Justice

PROCESS RECEIPT AND RETURN

PLAINTIFF United States of America	COURT CASE NUMBER
DEFENDANT Assorted Jewelry with an approximate value of \$297,750.00	TYPE OF PROCESS Warrant of Arrest in Rem

SERVE { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
AT { Assorted Jewelry with an approximate value of \$297,750.00
 ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	Number of process to be served with this Form	1
<div style="border: 1px solid black; padding: 5px; min-height: 100px;"> Henry F. DeBaggis, Assistant United States Attorney Office of the United States Attorney 801 W. Superior Avenue, Suite 400 United States Courthouse Cleveland, Ohio 44113 </div>	Number of parties to be served in this case	1
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

Assorted Jewelry with an approximate value of \$297,750.00 (19-DEA-653548)

Signature of Attorney other Originator requesting service on behalf of: 	<input checked="" type="checkbox"/> PLAINTIFF	TELEPHONE NUMBER	DATE
	<input type="checkbox"/> DEFENDANT	216-622-3749	10/18/19

SPACE BELOW FOR USE BY PROCESSING OFFICIAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated.	Total Process	District of Origin No. _____	District to Serve No. _____	Signature of Authorized Agent or Other Agency Personnel	Date
--	---------------	------------------------------	-----------------------------	---	------

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the individual, company, corporation, etc. shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode	
Address (complete only different than shown above)	Date	Time <input type="checkbox"/> am <input type="checkbox"/> pm
	Signature	

Service Fee	Total Mileage Charges including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed (Amount of Refund*)
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REMARKS:

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,) CIVIL ACTION NO.
)
Plaintiff,) JUDGE
)
v.)
)
)
\$215,477.00 U.S. CURRENCY SEIZED)
ON JUNE 27, 2019, BY THE DRUG)
ENFORCEMENT ADMINISTRATION,)
PURSUANT TO A FEDERAL SEARCH)
WARRANT, et al.,)
)
Defendants.) <u>NOTICE</u>

Party-in-Interest: Rashie Garner
c/o Walter T. Madison, Attorney at Law
Walter T. Madison, LLC
Delaware Building – Suite 201
137 S. Main Street
Akron, Ohio 44308

The above-captioned forfeiture action was filed in U.S. District Court on October 18, 2019. A copy of the complaint is attached. If you claim an interest in any of the defendant property, the following applies.

Pursuant to Rule G of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims, you are required to file with the Court, and serve upon Henry F. DeBaggis, plaintiff's attorney, whose address is United States Attorney's Office; United States Court House; 801 West Superior Avenue, Suite 400; Cleveland, Ohio 44113, a verified claim to the defendant property within thirty-five (35) days after your receipt of the complaint. Said claim shall contain the information required by Rule G(5) of the said Supplemental Rules. Additionally, you must file and serve an answer to the complaint or a motion under Rule 12 of the Civil Rules of Procedure, within twenty (20) days after the filing of the claim, exclusive of the date of filing. If you fail to do so, judgment by default will be taken for the relief demanded in the complaint.

Respectfully submitted,

Justin E. Herdman
United States Attorney

By:


Henry F. DeBaggis (OH: 0007561)
Assistant United States Attorney
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